

REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-38 are in this case. Claims 1-11, 13-19, 21-29, 32, 35, 36, and 38 have been rejected. Claims 12, 20, 30, 31, 33, 34 and 37 have been objected to. Claims 1-3, 11-12, 14, 19-22, 27, 29-30, 32, 35-36, and 38 have been cancelled. Claims 4-10, 13, 15, 18, 23-26, 28, and 31 have been amended. New claim 39 has been added.

The claims before the Examiner are directed toward a system and method for signaling between a plurality of devices over a noisy communication carrier and particularly relates to innovative method and a system for high speed signals using a distinct modulating scheme and multiple frequency channels over power lines and more particularly over direct current (DC) power lines and a novel device to test communication over DC power lines with adjustable conditions.

§ 102(b) Rejections - Nagai '064

The Examiner has rejected claims 1-2, 8-9, 18 and 25 under § 102(b) as being anticipated by Nagai '064. The applicant has, in order to expedite the prosecution, chosen to cancel claims 1-2 thereby rendering moot the Examiner's rejection of these claims. Claims 8-9 have been amended to depend on the amended claim 18. As discussed below claims 18 and 25 have been placed in condition for allowance by the inclusion therein of the limitations of claims 19 and 20 (for claim 18) and claims 27, 29 and 30 (for claim 25). Therefore, amended claims 8-9 that depend therefrom (claim 18) also are allowable.

§ 103(a) Rejections - Nagai '064

The Examiner has rejected claims 3-7, 10, 11, 13-17, 19, 21-24, 26-29, 32, 35, and 38 under § 102(b) as being obvious from Nagai '064. The applicant has, in order to expedite the prosecution, chosen to cancel claims 3, 11, 14, 19, 21-22, 27, 29, 32, 35, and 38 thereby rendering moot the Examiner's rejection of these claims. Claims 4-7 have been amended to depend on the amended claim 18. As discussed below, claim 10 has been placed in condition for allowance by the inclusion therein of the limitations of claims 11 and 12. Therefore, claims 13, and 15-17 that depend therefrom also are allowable. As discussed in regard to § 102(b) rejections, claim 18 has been placed in condition for allowance and therefore claims 4-7 and 23-24 that depend therefrom are also allowable. As discussed in regard to § 102(b) rejections, claim 25 has been placed in condition for allowance, and therefore claims 26, 28, and 32 that depend therefrom are also allowable.

Objections

The Examiner has objected to claims 12, 20, 30, 31, 33, and 34 as being based on rejected base claims. The Examiner has noted that claims 12, 20, 30, 31, 33, and 34 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim.

Claim 12 has been rewritten in independent form by amending claim 10 to include the limitations of claims 11 and 12. Correspondingly, claims 11 and 12 have been cancelled and claims 13, and 15 have been amended to depend directly from claim 10. Claim 20 has been rewritten in independent form by amending claim 18 to include the limitations of claims 19 and 20. Correspondingly, claims 19 and 20 have been cancelled and claims 4-7, and 23-24 have been amended to depend directly from claim 10. Claim 30 has been rewritten in independent form by amending claim 25 to

include the limitations of claims 27, 29 and 30. Correspondingly, claims 27, 29 and 30 have been cancelled and claim 26 has been amended to depend directly from claim 10. Independent claims 33 and 37 and hence dependent claim 34 have been deemed allowable and remain unchanged.

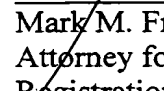
New Claim

New claim 39 has been added. Claim 39 is based on allowable claim 30 except that claim 30 applies to a multi-channel communication and new claim 39 applies to a single channel communication. Support for signaling with collisions arbitration based on priorities on a single channel comes from the original claim 30 and in the description pertinent to Figure 6. It is stated on page 25 lines 6 and 7 that "Figure 6 illustrates the use of the signaling pattern of Figure 1 in arbitration for channel access by means of collision detection and resolution over a single channel." The description of Figure 6 includes arbitration based on priorities as stated (page 25 lines 20 and 21), "The arbitration receive/send combination is determined either on priority basis, or randomly."

In view of the above amendments and remarks it is respectfully submitted that independent claims 12, 20, 30, 33, 37 and 39 hence dependent claims 31 and 34 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

In view of the above amendments and remarks it is respectfully submitted that independent claims 10, 18, 25, 33, 37, and 39 hence dependent claims 4-9, 13, 15-17, 23-24, 26, 28, 31, and 34 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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